

REMARKS

Claims 1 – 4, 6 – 10, 12 – 16, and 18 – 21 are in the application. Claims 1, 9, 12, 15, 19, 20, and 21 are currently amended; claims 6, 8, and 10 were previously presented; claims 5, 11, and 17 are canceled; and claims 2 – 4, 7, 13, 14, 16, and 18 remain unchanged from the original versions thereof. Claims 1, 9, 15, 19, 20, and 21 are the independent claims herein.

No new matter has been added to the application as a result of the amendments submitted herewith. Reconsideration and further examination of the application are respectfully requested.

Claim Rejections – 35 USC § 103

Claims 1 – 4, 6 – 10, 12 – 16, and 18 – 21 were rejected under 35 U.S.C. 103(a) as being unpatentable over Applicant's Admitted Prior Art ((hereinafter, AAPA) in view of Davies et al., U.S. Patent No. 6,853,634 (hereinafter, Davies). This rejection is respectfully traversed.

Regarding claims 1, 9, 15, 20, and 21, the Office Action cites and relies upon alleged AAPA for disclosing a network communication method including identifying, for a communication session, an originator, a participant, and a classification group to which the participant belongs; establishing, by the originator and based on the classification group, a reciprocity rule for the communication session; and conducting the communication session involving the originator and the participant based on the reciprocity rule.

However, the Office Action admits that the supposed AAPA does not explicitly state the originator established the reciprocity rule, governing an ability of the participant to send a message to the originator, wherein the reciprocity rule prevents the participant from sending a response in reply to a message from the originator. For such

disclosure the Office Action cites and relies upon Davis for the evidentiary support necessary to maintain a proper rejection of the claims under 35 USC 103(a).

Contrary to the Office Action's 35 USC 103(a) rejection, the cited and relied upon Davies fails to disclose, or even suggest, that for which it is cited and relied upon for disclosing. In particular, the Examiner states that Davies discloses alerting messages being sent to the user to inform him or her when members of the list of friends and associates sign on and off the ICQ system, and that the users are also able to control who contacts them (citing Davies, col. 2, Ins. 39 – 45). Based on the alleged disclosure, the Examiner concludes that the system of Davies allows a first user to send messages to the other users as well as allows the first user to set a rule that prevents other users from sending messages to the first user, making it impossible for other users to reply to the first user's messages.

Applicant respectfully submits that Davies actually discloses:

Alerting messages are sent to the user to inform him or her when members of the list of friends and associates sign on or off the ICQ system. Users are also able to control who contacts them and to hide their presence on the internet when this is required. Information about ICQ is given on the Internet at <http://www.icq.com>. (emphasis added) (Davies, col. 2, Ins. 39 – 45)

Thus, as a matter of fact, Davies clearly discloses users are sent a message when members of their "buddy" list sign on and off of the ICQ system, are also able to control who contacts them, and are able to hide their presence on the internet when this is required.

However, what Davies fails to disclose is that which is specifically, concisely, and unambiguously claimed by Applicant. In particular, Davies fails to disclose the claimed aspects of the reciprocity rule for the communication session that governs an ability of the participant to reply to a message from the originator, and conducting a communication session involving the originator and the participant based on the reciprocity rule, wherein the reciprocity rule prevents the participant from sending a response message in reply to a message from

said originator. Davies discloses a user being provided the ability to completely prevent others from contacting them. There is no disclosure of any constraints on the blocking of contact. Davies discloses a complete block of messages from another particular user. That is, Davies does not disclose establishing a reciprocity rule that governs the ability of the participant to reply to a message from the originator.

Applicant claims a reciprocity rule that specifically prevents a participant from replying to a message from the originator. According to Applicant's claims, a participant could continue to communicate with the originator in other communication sessions since the reciprocity rule is specific to governing the ability of the participant to reply to the message in the given communication session. This claimed aspect is different from Davies where the first user would be prevented from contacting the message originator in any communication session and under any condition, not just in reply to a message from the originator in a particular communication session as claimed by Applicant.


Therefore, it is clear that Davies does not disclose that for which it is cited and relied upon for disclosing (or that which is claimed). Accordingly, the asserted combination of alleged AAPA and Davies does not render claims 1, 9, 13, 15, 20, and 21 obvious under 35 USC 103(a). Claims 2 - 4, 6 - 8, 10, 12 - 14, 16, and 18 depend from claims 1, 9, 15. Accordingly, Applicant submits that all of claims 1 - 4, 6 - 10, 12 - 16, and 18 - 21 are allowable.

CONCLUSION

Accordingly, Applicants respectfully request allowance of the pending claims. If any issues remain, or if the Examiner has any further suggestions for expediting allowance of the present application, the Examiner is kindly invited to contact the undersigned via telephone at (203) 972-5985.

Respectfully submitted,

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Date


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